

UNITED STATES BANKRUPTCY COURT  
THE DISTRICT OF NEVADA

APR 21 1 27 PM '06

In re

Chapter 11

USA COMMERCIAL MORTGAGE  
COMPANY  
fka USA CAPITAL

Debtor

Case No. BK-S 06-10725 LBR

Date: May 17, 2006

Time: 1:00 p.m.

BANKRUPTCY COURT  
PATRICIA CRAY  
CLERK

**AMENDED NOTICE OF CHAPTER 11 BANKRUPTCY CASE, MEETING OF  
CREDITORS, DEADLINES, AND ADMINISTRATIVE AND NOTICE ORDERS**

Chapter 11 case number BK-S 06-10725 LBR was filed and an order for relief entered on April 13, 2006.

You may be a creditor of the Debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in this case may be viewed at the bankruptcy clerk's office at the address listed below. The dockets and imaged case documents may also be viewed electronically at [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov) if you are a registered PACER user. Click on PACER, enter the case number: 05-10725. (To register for a PACER login and password, call 1-800-676-6856 or go on line at <http://www.pacer.psc.uscourts.gov>.)

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice. See additional information enclosed on the page of this Notice entitled "Explanations."

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**ATTORNEY(S) FOR DEBTOR(S) (NAME AND ADDRESS)**

Annette W. Jarvis  
Ray, Quinney & Nebeker P.C.  
36 South State Street, Suite 1400  
P.O. Box 45385  
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(801) 532-1500

Lenard E. Schwartz  
Schwartz & McPherson Law Firm  
2850 South Jones Blvd., Suite 1  
Las Vegas, NV 89146  
(702) 228-7590

### MEETING OF CREDITORS

DATE: May 17, 2006 TIME: 1:00 p.m.

LOCATION:  
300 Las Vegas Blvd. South  
Room 1500  
Las Vegas, NV 89101

See additional information enclosed on the page of this Notice entitled "Explanations," under the paragraph named "Meeting of Creditors."

### DEADLINES TO FILE A PROOF OF CLAIM

For all creditors (except a governmental unit): August 15, 2006. [LR 3003]

For a governmental unit: not later than 180 days after the date of the order for relief [FRBP 3002(c)].

See additional information on the page of this Notice entitled "Explanations," under the paragraph named "Claims." If you desire to file a proof of claim in the above-entitled bankruptcy case, submit an original and one copy. If you submit a proof of claim by mail, you must provide a postage-paid, self-addressed envelope in order to receive acknowledgment that your proof of claim has been received. Those entities authorized to file Proofs of Claim electronically with our court must file all Proofs of Claim electronically.

Mail completed Proof of Claim forms to:

Clerk, U.S. Bankruptcy Court  
Foley Federal Building  
300 Las Vegas Boulevard South, 4<sup>th</sup> Floor  
Las Vegas, NV 89101

PLEASE NOTE: If an order is entered appointing a Claims Agent in this case, you will be notified with any modified instructions for filing of Proofs of Claim.

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### COURT FILINGS

Pursuant to Administrative Order 04-3, those entities authorized to file electronically with our court must file all documents electronically. For all paper filings of pleadings and other

papers or documents, a Motion for Permission to File in Paper Format Due to Exemption or Exceptional Circumstances with a proposed Order Granting Permission to File in Paper Format must accompany each paper pleading submitted to the court. (Motion, Order, and Administrative Order 04-3 are available on our web site: [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov)). Paper filings may be presented in person between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except Federal Holidays, at the following street address, or may be filed by mail at the following address:

Clerk, U.S. Bankruptcy Court  
Foley Federal Building  
300 Las Vegas Blvd South, 4<sup>th</sup> Floor  
Las Vegas, NV 89101

Copy requirements for filings are available on our web site and at the Intake counter (4<sup>th</sup> Floor). To receive a conformed copy of your filing showing the Clerk's file stamp if submitting by mail, you must provide a postage-paid, self-addressed envelope.

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### **CREDITORS MAY NOT TAKE CERTAIN ACTIONS**

The filing of this bankruptcy case automatically stays certain collection and other actions against the Debtor and the Debtors' property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. See additional information enclosed on the page of this Notice entitled "Explanations," under the paragraph named "Creditors May Not Take Certain Actions."

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### **PHOTOCOPY REQUESTS**

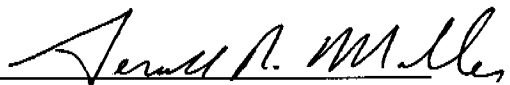
All documents in this case are available on PACER. If you still require a paper copy from the court, all requests for photocopies of pleadings and other papers or documents in this case should be addressed directly to the following independent photocopy service:

Legal Wings, Inc.  
1118 Fremont Street  
Las Vegas, NV 89101  
(702) 384-0305  
Fax (702) 384-8638

A description of the photocopying services, charges and billing procedures is available from the copy service upon written request to the above-referenced address, or by telephone at the number indicated above.

DATED: 4-21-06

FOR THE COURT:  
PATRICIA GRAY, CLERK  
U.S. BANKRUPTCY COURT  
DISTRICT OF NEVADA

By:   
Deputy Clerk

## EXPLANATIONS

FORM B9F (10/05)

Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under Chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice. The court, after notice and a hearing, may order that the United States trustee not convene the meeting if the debtor has filed a plan for which the debtor solicited acceptances before filing the case.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is not listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you filed a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim by the "Deadline to File Proof of Claim" listed on the front side, or you might not be paid any money on your claim and may be unable to vote on the plan. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. <b>Filing Deadline for a Foreign Creditor:</b> The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 1141(d)(6)(A), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Foreign Creditors	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
— Refer to Other Side for Important Deadlines and Notices —	